



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,078	01/19/2001	Takao Yamada	Q62753	6798

7590 05/04/2006

SUGHRUE, MION, ZINN, MACPEAK & SEAS
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037

EXAMINER

VENT, JAMIE J

ART UNIT PAPER NUMBER

2621

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/764,078

Applicant(s)

YAMADA ET AL.

Examiner

Jamie Vent

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 0200.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9 and 11-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-9 and 11-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4-9, and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable by Mori et al (US 5,854,873) in view of Fujita et al (US 2005/0201721).

[claims 1 & 8]

In regard to Claims 1 and 8, Mori et al discloses audio and video reproduction apparatus comprising:

- a video/audio output controlling device for controlling an output of a decoded video/audio signal (Figure 3 shows a video/audio controlling device for the decoded video/audio signal as further described in Column 10 Lines 19-67); and

Art Unit: 2621

- a video/audio signal synchronization controlling device for controlling the video output controlling device so that a decoded video signal whose position on a time axis is coincident with that of the decoded audio signal is outputted in synchronism with the decoded audio signal (Column 8 Lines 20-67 describes the synchronization of the video/audio signals); however, fails to disclose
 - a speed indicating device for indicating a reproduction speed
 - wherein the audio output controlling device controls the output of the decoded audio signal based on the reproduction speed indicated by the speed indicating device
 - the video output controlling device controls the output of the decoded video signal so that the decoded video signal is selectively outputted according to the reproduction speed.

Fujita et al discloses a system wherein a speed detector is used to determine the reproduction speed of the data as described in Paragraph 0047. Furthermore, it disclosed tat the audio and video output controls selectively outputting according to the reproduction speed as further described in paragraphs 00127-0130. The ability to indicate the speed during reproduction allows for proper reproducing of the data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use the audio video reproducing apparatus, as disclosed by Mori et al, and further incorporate a system that indicates speed of reproduction to provide synchronization of the audio and video stream, as disclosed by Fujita et al.

Art Unit: 2621

[claims 2 & 9]

In regard to Claims 2 and 9, Mori et al discloses an audio and video reproduction apparatus further comprising a speed indicating device for indicating a reproduction speed, wherein the audio output controlling device controls the output of the decoded audio signal based on the reproduction speed indicated by the speed indicating device (Column 9 Lines 39+ describes the speed indication for indicating the reproduction speed).

[claims 4 & 11]

In regard to Claims 4 and 11, Mori et al discloses an audio and video reproduction apparatus the apparatus further comprising an audio memory for accumulating the decoded audio signal, wherein the audio output controlling device calculates an audio time stamp of the decoded audio signal, and the video/audio signal synchronization controlling device controls the video output controlling device so that the decoded video signal whose video time stamp is coincident with the audio time stamp of the decoded audio signal calculated in the audio output controlling device is outputted in synchronism with the decoded audio signal (Column 11 Lines 25-53 describes the detection of the presentation time stamp for synchronization of the video and audio signal).

[claims 5 & 12]

In regard to Claims 5 and 12, Mori et al discloses an audio and video apparatus accumulating the decoded audio signal, wherein the video/audio signal synchronization reproduction apparatus according to further comprising a video memory for controlling

Art Unit: 2621

device calculates an address in the video memory corresponding to a video time stamp that is coincident with the audio time stamp device, acquired from the audio output controlling the video output controlling device controls the output of the decoded video signal so that the decoded video signal is outputted according to the address in the video memory calculated by the video/audio signal synchronization controlling device (Column 11 Lines 25+ describes the video time stamp that is a coefficient of the audio time stamp).

[claims 6 & 13]

In regard to Claims 6 and 13, Mori et al discloses an audio and video reproduction apparatus further comprising a decoder for decoding an audio signal and a video signal in accelerating manner (Column 9 Lines 10+ describes the decoding of the video and audio signal).

[claims 7 & 14]

In regard to Claims 7 and 14, Mori et al discloses an audio and video reproduction apparatus the apparatus further comprising a plurality of video signal decoders, wherein contiguous GOPs configuring video signals are distributed to each video signal decoder (Column 58 Lines 50+ through Column 59 Lines 1-45 describes the contiguous GOPs).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

Art Unit: 2621

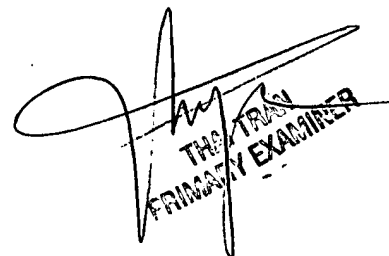
TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



THAI TRAN
PRIMARY EXAMINER